

REMARKS

Firstly, Applicant expresses his gratitude to the Examiner for the Examiner's thorough review of this application. This response to the outstanding Office action is a bona fide attempt to advance this application toward a condition of allowance.

In the outstanding Office action, the Examiner asked the Applicant to restrict the claims to the new matter added in this continuation application. The Examiner also rejected claims 1 and 11 as a double patenting, in view of the parent application, now US Patent 6,705,344. The comments of the Examiner has been duly noted. The original claims were canceled from the application and the new claims were drafted upon the invention as illustrated in **FIG. 17**, and as described in the corresponding text of pages 23-27 of the application.

The Examiner also rejected claims 1-3, 5-12 and 19-20 under 35 U.S.A. 102 (b) as being anticipated by the Applicant's previous patent 6,062,259 (Poirier). The Examiner also said that claims 4, and 13-18 were also rejected under 35 U.S.C. 103(a) over Poirier in view of US Patent 5,032,290 issued to Yamagata et al. The comments of the Examiner are also duly noted.

The new claims attached hereto contain new elements that were not disclosed, taught or suggested in Poirier or in Yamagata et al. Therefore, reconsideration of this application as presently amended is respectfully requested in view of the following remarks.

Independent claim 21 basically replaces original claims 1 and 11 but with additional limitations recited therein. Claim 21 now recites a potable water circulation system having a pump means and an auxiliary pipe extending along and outside the branch pipe. The auxiliary pipe is connected to the source end, to the extremities of the branch pipe and to the pump means in such a way as to pump water from the source end of the branch pipe and into the extremities of the branch pipe, and so as to cause a flow of water in the branch pipe from the extremities, through the segment valves of the branch pipe and toward the source end.

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Inasmuch as the Examiner might still consider the Poirier or the Yamagata et al. patents applicable in a 35 U.S.C. 102 (b) or a 35 U.S.C. 103 (a) rejection of the new claim 21, the following comments are submitted. Although the Poirier patent and the Yamagata et al. patent disclose water circulation systems, Applicant truly submits that the Poirier patent and the Yamagata patent do not disclose, teach or suggest the limitations presently set forth in claim 21, as enumerated above. The Poirier patent discloses a system where the auxiliary pipe is mounted inside the branch pipe. The flow of water in the auxiliary pipe of Poirier is always from the extremity toward the source end. The Poirier system does not extract water from the source end to pump it into the extremities of a branch pipe. The flow of water in the branch pipe of Poirier is always from the source end to the extremity. The flows of water in Poirier's auxiliary pipe and branch pipe are opposite from the flow of water in the system according to the instant invention. The inherent difficulty in Poirier is that the circulation of water in the branch pipe cannot effectively extend across a segment valve. This difficulty in traversing a segment valve has been eliminated in the circulation system according to the instant invention.

Similarly, the Yamagata et al. patent does not disclose an auxiliary pipe extending along a branch pipe of a municipal water distribution system for extracting water from the source end and for pumping this water into the extremities of the distribution system.

Accordingly, it is Applicant's position that Applicant's new claim 21 is neither anticipated nor unpatentable over the Poirier or the Yamagata et al. patent for the reasons explained above. It is also Applicant's position that claims 22-30, which depend directly or indirectly on new claim 21, are also not anticipated by the Poirier or the Yamagata et al. patents and are unobvious over the Poirier and the Yamagata et al. patents for substantially the same reasons as set forth in the remarks for claim 21 hereinbefore.

Furthermore, neither the Poirier patent or the Yamagata et al. patent discloses, teaches or suggests a pump capacity corresponding to a low water demand by consumers along a branch pipe, as claimed in new claims 22, 27, 28 and 30, such that a normal water demand can be supplied by the auxiliary pipe, and the flow in the branch pipe can be reversed in cases of fire-fighting emergencies.

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Neither the Poirier patent nor the Yamagata et al. patent discloses, teaches or suggests the use of flow control valve to "balance" the flow in the auxiliary pipe to ensure an even flow into all the extremities of the branch pipe, as claimed in new claims 25 and 26.

In view of all the reasons presented herein, it is respectfully submitted that Applicant's claims 21-30 are not anticipated by the Poirier patent and that they are distinguishable and patentable over the Poirier patent in view of the Yamagata et al. patent.

An early indication of allowance of Applicant's claims is respectfully requested.

Respectfully submitted,



Mario Theriault, P.Eng.
Patent Agent for Applicants
Reg. No. 40,368

Copy to: Mr. Blair J. Poirier